

REMARKS

Upon entry of the present amendment, claim 10 will have been amended. In view of the present amendment, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection set forth in the outstanding Official Action together with an indication of the allowability of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

In the outstanding Official Action, the Examiner rejected claims 10-15 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. The Examiner asserted that the claims contained subject matter not properly described in the specification. In particular, the Examiner asserted that from the claim language it appears that the sheet separation guide plate comprises a sheet transportation path forming member, while in fact these two elements appear, based on the written description, to be distinct numbers.

In the outstanding Official Action, the Examiner indicated claims 1, 4-9 and 16-20 are allowed.

Applicants note the Examiner's indication of allowable subject matter with obvious acquiescence and appreciation.

Regarding the Examiner's rejection of claim 10 and claims 1-15 dependent thereon, Applicants have amended the present claim to make clear, as the Examiner has already surmised, that the sheet separation guide plate and the sheet transportation path forming member are separate and distinct elements.

Accordingly, as presently amended, claim 10 and claims 11-15 that depend thereon clearly comply with the written description requirement. In particular, the subject matter of the claims is described in the specification in such ways to easily convey to one skilled in the art that

the inventor, at the time the application was filed, had possession of the claimed invention. Accordingly, Applicants respectfully request reconsideration of the outstanding rejection and an indication of the allowability of all the claims in the present application, particularly including claims 10-15.

For the Examiner's convenience, Applicants note that a description corresponding to the features of the present invention, as now more clearly recited in claim 10, is disclosed inter alia at page 23, line 17-20, as the Examiner noted in his rejection. Additional support for the above-noted feature of the present invention can also be found in the disclosure at paragraphs [0065] through [0069].

Applicants note that the status of the present application is after rejection and that Applicants are not entitled to amend an application once a final rejection has been issued. However, Applicants respectfully submit that the present amendment is appropriate for entry in accordance with the provisions of 37 C.F.R. § 1.116. In particular, the present amendment does not raise any new issues requiring further consideration or search since the Examiner, based at least upon his statement of the rejection, clearly understands the manner in which the present invention is disclosed and the manner in which it operates. Additionally, since the Examiner understands the features of the present invention and has not rejected any of the claims on prior art grounds, it is quite clear that he considers them to be allowable over the prior art. Additionally, the present amendment does not raise the issue of new matter since, as the Examiner has acknowledged, disclosure for the present amendment is contained in the portion of the disclosure quoted by the Examiner in the rejection. On the other hand, the present amendment does clearly place the present application in condition for allowance and could not

earlier have been presented since the rejection was only set forth by the Examiner in the outstanding Official Action.

Accordingly, Applicants respectfully request entry of the present amendment, reconsideration and withdrawal of the outstanding rejection and an indication of the allowability of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

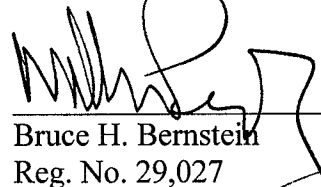
SUMMARY AND CONCLUSION

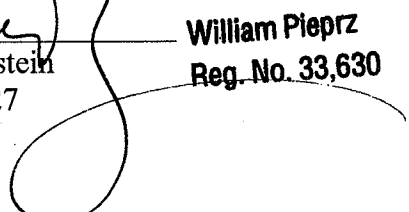
Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended a claim to more clearly correspond to the disclosure of the present application and has, thus, overcome the rejection under 35 U.S.C. § 112, first paragraph. Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully request an indication to such effect, in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Hideki TATEMATSU et al.

  
Bruce H. Bernstein  
Reg. No. 29,027

  
William Pieprz  
Reg. No. 33,630

June 7, 2007  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191